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Department of State

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TELEGRAM

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INFO OCT-01 150-00 DRA-02 NSC-05 NSCE-00 SS-14 SSO-00
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 FM AMEMBASSY BUENOS AIRES
 TO SECSTATE WASHDC IMMEDIATE 1394

~~CONFIDENTIAL~~ BUENOS AIRES 5303

E.O. 11652: GDS
 TAGS: SHUM, AR, PDIP
 SUBJECT: HUMAN RIGHTS IMPROVEMENTS IN ARGENTINA

~~SECRET~~

REF: STATE 162292

1. ALL OF US HERE WHO HAVE RESPONSIBILITY FOR NOTING ARGENTINE PROGRESS IN HUMAN RIGHTS OBSERVANCE, AND THOSE IN MISSION WHO HAVE THE BEST MEANS OF OBSERVING THE ARGENTINE WAR AGAINST THE GUERRILLA MOVEMENT, HAVE GIVEN CAREFUL CONSIDERATION TO REFUEL AND TO POSSIBLE EFFECTS SOME STATEMENT OF PRESIDENTIAL INTEREST AND ACKNOWLEDGMENT OF IMPROVEMENT HERE MIGHT HAVE. WE CONCLUDE THAT AN INITIATIVE INVOKING THE PRESIDENT'S NAME WOULD NOT BE ADVISABLE AT THIS TIME. THIS COURSE IS, HOWEVER, ONE WE MAY WANT TO TAKE IN THE VERY NEAR FUTURE.

2. WE AGREE THERE ARE ENCOURAGING SIGNS IN FACT THAT HUMAN RIGHTS VIOLATIONS, AND ARGENTINE EXCESSES IN THE WAR AGAINST TERRORISM HAVE DIMINISHED. IT IS ALMOST IMPOSSIBLE TO COMMENT ON A SIGNIFICANT SAMPLING OF THE 342 NAMES LISTED RECENTLY AS THOSE OF PERSONS RELEASED FROM CUSTODY HERE AND CITED BY REFUEL. WE CAN POINT, HOWEVER, TO KNOWLEDGE THAT THREE PERSONS ON THIS LIST HAVE IN FACT GAINED THEIR FREEDOM. WHAT INTERESTS US EQUALLY IS FACT THAT THERE IS INCREASING OFFICIAL RECOGNITION THAT HUMAN RIGHTS ABUSES HAVE OCCURRED. AS WAR AGAINST TERRORISM WINDS DOWN, IT APPEARS TO US THAT THERE IS BETTER CONTROL BY THE GOVERNMENT OF THOSE OF ITS OWN FORCES WAGING THE WAR. WE FURTHER BELIEVE THAT GENERAL VIDELA AND HIS MODERATE MILITARY COLLEAGUES ARE GAINING INFLUENCE IN THE LONGER AND LARGER QUESTION OF WHO ULTIMATELY WILL RULE IN ARGENTINA. (SEE BUENOS AIRES 5281)

3. ON THE OTHER HAND, THERE IS MUCH THAT DISTURBS US. DISAPPEARANCE OF EIGHT PERSONS FROM PAR DEL PLATA, ALL LAWYERS OR WIVES OF LAWYERS, IS A BROODING SCANDAL WHICH DAILY ATTRACTS MORE ATTENTION HERE. OVER WEEKEND EMBASSY WAS GIVEN NEW INFORMATION CONCERNING HARASSMENT BY GOVERNMENT OFFICIALS OF RANKING UNION MEMBERS. ALTHOUGH WE HAVE NO FIRM DATA ON THIS, WE CREDIT CREDITS TO EFFECT THAT AT LEAST FIVE LABOR UNION LEADERS HAVE BEEN THREATENED WITH HARM UNLESS THEY PULL OUT OF LABOR AFFAIRS AND, ACCORDING TO ONE SOURCE, LEAVE THIS COUNTRY. THE TRAINER AFFAIR APPEARS TO BE HEADED TOWARD A RESOLUTION WHICH WE FEAR WILL BE UNSETTLING FOR THOSE WATCHING HUMAN RIGHTS PROGRESS IN ARGENTINA. "LA OPINION" FORMER EDITOR TIMPERMAN HAS, WE ARE T.O.D., BEEN RECENTLY TRANSFERRED TO LA PLATA WHERE HE IS AGAIN BEING HELD INCOMMUNICADO AND AGAIN WE FEAR THE OUTCOME WILL BE DISTRESSING.

4. ALL THIS LEADS US TO HESITATE IN USING A PRESIDENTIAL ACKNOWLEDGMENT OF AN IMPROVING SITUATION, LET SUBSEQUENTLY WE DISCOVER THAT HUMAN RIGHTS ADVANCE HERE WERE "ILLUSORY. CHARGE WILL BE SEEING MINISTER OF ECONOMY MARTINEZ DE HOZ TO QUESTION THE MINISTER WHAT ADVANCES IN HUMAN RIGHTS OBSERVANCES ARE, IN HIS OPINION, WORTH OUR TAKING NOTE OF AND REPORTING TO OUR GOVERNMENT. CHARGE WILL AT THAT TIME TAKE NOTE OF SEVERAL "STRAWS IN THE WIND" WHICH LEAD US TOWARD ENCOURAGEMENT.

5. A DECISION ON ANY POSITIVE COMMENTS ON THE LOCAL HUMAN RIGHTS SCENE SHOULD AVOID THE REACTIONS OF THE MINISTER OF ECONOMY, CHAPLIN

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Department of State, A/CIS/IPS/SRP

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TELEGRAM

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FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC PRIORITY 1510

~~CONFIDENTIAL~~ BUENOS AIRES 5522~~LINE 40~~

E.O. 11652: GDS

TAGS: SHUM, PCIP, AR

SUBJECT: US INTEREST IN HUMAN RIGHTS IMPROVEMENTS

REF: (A) STATE 167292, (B) BUENOS AIRES 5303

1. REF A INSTRUCTED THAT AN APPROACH BE MADE TO THE GOA AT AN APPROPRIATE SENIOR LEVEL TO NOTE THE USG INTEREST IN RECENT GOA STEPS TO IMPROVE RESPECT FOR HUMAN RIGHTS. THE INSTRUCTION ALSO PROVIDED THAT, IF THE STEPS ANNOUNCED BY THE GOA AND REPORTED IN B.A. 0638 WERE REAL RATHER THAN COSMETIC, THE ARGENTINES SHOULD BE MADE AWARE OF THE PRESIDENT'S INTEREST IN THESE AND CONTINUING STEPS TOWARD THE RESTORATION OF THE RULE OF LAW.

2. REF B CONCLUDED THAT THERE APPEARED TO BE A DETECTABLE TREND TOWARD IMPROVEMENT IN RESPECT FOR HUMAN RIGHTS, BUT DID NOT SPECIFICALLY ADDRESS THE POINT OF WHETHER THE GOA MEASURES CITED WERE REAL OR COSMETIC. AFTER ATTEMPTS BY ALL ELEMENTS OF THE COUNTRY TEAM TO FOLLOW-UP ON THE SERIOUSNESS OF THE MEASURES ANNOUNCED BY THE GOA ON JUNE 15, WE HAVE NOW CONCLUDED THAT THEY DO HAVE SOME SUBSTANCE, BUT SHOULD NOT BE TAKEN ENTIRELY AT FACE VALUE. WE BELIEVE THAT SOME RESTRICTED FORM OF THE RIGHT OF OPTION TO LEAVE THE COUNTRY WILL BE FORMALLY REESTABLISHED, (PERHAPS AS THE OPPORTUNITY TO "PETITION" TO LEAVE THE COUNTRY AS NOW EXISTS IN PRACTICE IF NOT IN LAW.) THE SUPPRESSION OF CABILDO WAS NOT AS EXTENSIVE AS IT SEEMED, SINCE ONE OF THE TWO SUPPRESSED EDITIONS HAD ALREADY BEEN DISTRIBUTED. WE HAVE STILL BEEN UNABLE TO CONFIRM THE RELEASE OF ALL OF THE 342 PERSONS LISTED AS RELEASED BETWEEN MAY 27 AND JUNE 14. BOTH SY AND SPG SOURCES SAY THAT IT SEEMS LIKELY THAT MANY OF THESE PERSONS WERE RELEASED. WE HAVE CONFIRMED FOUR CASES ACTUALLY RELEASED AND ASSUME, AS HAS OCCURRED WITH OTHER RELEASE LISTS, THAT MANY OF THOSE LISTED AS NO LONGER BEING DETAINED UNDER EXECUTIVE POWERS HAVE BEEN FORMALLY CHARGED WITH SOME CRIME (THE GOVERNMENT DID NOT PROVIDE A LIST OF PERSONS DETAINED DURING THE PERIOD COVERED BY THE 342 RELEASES.)

3. IN THE APPROXIMATELY SIX YEARS SINCE JUNE 14, THE GOA HAS ISSUED THREE LISTS OF DETAINEES AND RELEASEES UNDER THE EXECUTIVE POWER. THESE TOTAL 149 DETAINED AND 77 RELEASED. SOME OF THOSE RELEASED ON THE JULY 23 LIST WERE SHOWN AS HAVING BEEN APPREHENDED ON THE JULY 2 LIST. INQUIRIES OF THE PERMANENT ASSOCIATION FOR HUMAN RIGHTS, THE ICRC AND THE NUNCIATURA ELICITED NEITHER REJECTION NOR CONFIRMATION OF THE LISTS. THEY OBSERVED THAT MANY OF THE PERSONS ON THE JUNE 14 LIST HAD BEEN IMPRISONED BY THE PREVIOUS GOVERNMENT, AND THAT THERE WERE MANY NAMES ON THE LIST FROM OUTSIDE BUENOS AIRES. THE LISTS OF APPARENT RELEASES SINCE JUNE 15 DO NOT SHOW ANY

PARTICULAR TRENDS. THE LACK OF A CLEAR POSITIVE TREND ON PRISONER RELEASES, THE DISAPPEARANCE OF HIRALGO SOLA, AND THE HARASSMENT OF LABOR LEADERS COMBINE TO ARGUE AGAINST A CLOSE ASSOCIATION OF PRESIDENT CARTER WITH ANY SPECIFIC FAVORABLE DEVELOPMENT.

4. THE ECONOMY MINISTER, MARTINEZ DE HOS, WAS THE OBVIOUS HIGH-LEVEL CHANNEL FOR EXPRESSION OF USG INTEREST. IN A MEETING WITH HIM ON JULY 22 THE CHARGE EXPRESSED OUR CONTINUING DEEP INTEREST IN STEPS TOWARD RESTORATION OF RULE OF LAW AND OUR INTEREST IN KNOWING ANY FURTHER DETAILS RELATING TO THE STEPS ANNOUNCED JUNE 15. THE MINISTER SAID HE WAS NOT IN A POSITION TO GO INTO DETAILS ABOUT NUMBERS OR NAMES, BUT THAT HE WAS CONFIDENT THAT THE PROCEDURES ANNOUNCED ON JUNE 15 WERE GOING FORWARD. WHEN PRESSED FOR DETAILS, THE MINISTER SAID THE MATTER WAS OUTSIDE HIS AREA OF RESPONSIBILITY AND INDICATED THAT HE DID NOT WISH TO BECOME INVOLVED IN SPECIFICS. CHARGE NOTED THAT THE USG WAS PREPARED TO GIVE RECOGNITION TO FAVORABLE DEVELOPMENTS IN THE HUMAN RIGHTS AREA, AS WAS DONE BY OUR DIRECTOR AT THE WORLD BANK, AND WE HOPE THAT THE MINISTER MIGHT BE ABLE TO PROVIDE US WITH MORE SUCH INSTANCES. AS A FURTHER EVIDENCE OF OUR INTEREST AND WILLINGNESS TO RECOGNIZE FAVORABLE DEVELOPMENTS, CHARGE PROVIDED MINISTER WITH TELETYPE COPY OF PRESIDENT'S REMARKS AT YACUO CITY WHICH MENTIONED RELEASE OF ARGENTINE PRISONERS. MARTINEZ DE HOS APPEARED INTERESTED BUT LIMITED HIS COMMENTS TO OBSERVING THAT IN ARGENTINA THOSE DETAINED ARE NOT CALLED POLITICAL PRISONERS.

5. THOUGH MARTINEZ DE HOS WAS UNWILLING TO DEAL IN SPECIFICS, HE DID EXPAND ON THE WILL TO IMPROVE THE DIALOGUE BETWEEN THE TWO COUNTRIES AND DO MORE IN THE HUMAN RIGHTS FIELD WHICH WOULD FURTHER THAT END. HE SAID HE HOPED TO HAVE SOMETHING SUBSTANTIAL ANNOUNCEMENT PRIOR TO THE ARRIVAL OF ASSISTANT SECRETARY TOWBIN. HE TOUCHED UPON THE RIGHT OF OPTION BUT BECAME SHORTLY, BUT WAS UNSURE. HE THEN CHANGED THE SUBJECT TO ASK FOR CLARIFICATION OF A PUZZLING CABLE HE HAD RECEIVED FROM THE ARGENTINE EMBASSY IN WASHINGTON REGARDING THE STATUS OF THE REUS AGREEMENT TO THE BILL PROVIDING FUNDING FOR 1978.

6. ON TWO OTHER OCCASIONS EMBASSY OFFICERS HAVE RAISED WITH AN OFFICIAL OF THE PRESIDENCY THE USG INTEREST IN FURTHER SPECIFIC STEPS TOWARD THE RULE OF LAW. THESE CONVERSATIONS WERE MET WITH LITTLE MORE THAN POLITE INTEREST.

7. COMMENT: THE ARGENTINE RESPONSE IN THESE INSTANCES IS NOT PARTICULARLY ENCOURAGING. THE TACTIC OF EXPANDING INTEREST IN HUMAN RIGHTS ISSUES DID NOT ELICIT POSITIVE RESPONSES, FOR THIS IS AN AREA WHERE FEW WISH TO TAKE THE BLAME OR SHARE CREDIT.

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